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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

UNITED STATES *ex rel.* STROM,

Plaintiffs,

v.

SCIOS, INC. and

JOHNSON & JOHNSON,

Defendants.

) No. C 05-3004 CRB (JSC)

) **STIPULATION AND REQUEST TO**
) **CONTINUE HEARING ON UNITED**
) **STATES' MOTION TO COMPEL**
) **CROSS-EXAMINATION OF**
) **DEPOSITION WITNESS RICHARD**
) **BREWER; [~~PROPOSED~~] ORDER**

) Date: June 2, 2011

) Time: 9:00 a.m.

) Courtroom D, 15th Floor

) Magistrate Judge Jacqueline Scott Corley

Plaintiffs, the United States of America and Relator Joe Strom; Defendants, Scios, Inc. and Johnson & Johnson; and Third-Party Witness Richard Brewer, through their undersigned counsel of record, hereby stipulate and agree as follows:

1. The hearing on the United States' Motion to Compel Cross-Examination of Deposition Witness Richard Brewer (Dkt. No. 94) was previously set for June 8, 2011 and was reset for June 2, 2011 after being reassigned to Magistrate Judge Jacqueline Scott Corley.

2. The undersigned government counsel is unavailable to appear for the hearing on June 2, 2011 due to previously scheduled business travel.

3. Counsel for the parties are all available to attend the hearing if it is continued to June 9, 2011.

4. Counsel for Mr. Brewer are available to attend the hearing telephonically on June 9, 2011.

5. Accordingly, we request that the hearing be continued to June 9, 2011 and that counsel for Mr. Brewer be permitted to participate by telephone (via attorney Kip Mendrygal, direct dial 214-740-8106).

IT IS SO STIPULATED.

Respectfully submitted,

TONY WEST
Assistant Attorney General

JOSHUA B. EATON
Attorney for the United States, Acting
Under Authority Conferred by 28 U.S.C. §515

Dated: May 25, 2011

By: /s/ signature on file
SARA WINSLOW
JULIE A. ARBUCKLE
THOMAS R. GREEN
Assistant United States Attorneys

Dated: May 25, 2011

By: /s/ signature on file
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Attorneys for the United States of America

NOLAN & AUERBACH, P.A.
LAW OFFICES OF MATTHEW PAVONE

Dated: May 25, 2011

By: /s/ signature on file
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MARCELLA AUERBACH
MATTHEW B. PAVONE

Attorneys for *Qui Tam* Plaintiff Joe Strom

QUINN EMANUEL URQUHART OLIVER
& SULLIVAN, LLP

Dated: May 26, 2011

By: /s/ signature on file
JOHN POTTER

Attorneys for Defendants Scios, Inc. and
Johnson & Johnson Inc.

FISH & RICHARDSON PC

Dated: May 26, 2011

By: /s/ signature on file
WILLIAM B. MATEJA

LOCKE LORD BISSELL & LIDDELL, LLP

Dated: May 26, 2011

By: /s/ signature on file
CHRISTOPHER J. BLAKES
KIP E. MENDRYGAL

Attorneys for Third-Party Witness Richard Brewer

[PROPOSED] ORDER

Pursuant to stipulation, the hearing on the United States' Motion to Compel Cross-
Examination of Deposition Witness Richard Brewer (Dkt. No. 94) is continued from June 2,
2011 to June 9, 2011 at 9:00 a.m. in Courtroom D, 15th Floor, San Francisco, before Magistrate
Judge Jacqueline Scott Corley. Counsel for Mr. Brewer may appear telephonically.

IT IS SO ORDERED.

Dated: May 27, 2011

Jacqueline S. Corley
JACQUELINE SCOTT CORLEY
United States Magistrate Judge